

Sector #



PATENT  
Attorney Docket No. 2356.0073-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Sebastian SUERBAUM et al. )  
Serial No.: 09/015,078 ) Group Art Unit: 1801  
Filed: January 29, 1998 ) Examiner: Not Assigned  
For: CLONING AND CHARACTERIZATION OF THE  
flba GENE OF H. PYLORI, PRODUCTION OF  
AFLAGELLATE STRAINS

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a Response to the Notice to File Missing Parts of Application dated  
March 18, 1998 The items checked below are appropriate:

The claims are calculated below:

	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	Additional Fee
Total	20	-	30		x \$ 22	\$
Indep.	4	-	3	1	x \$ 82	82.00
[X] First Presentation of Multiple Dep. Claim(s)					+ \$270	270.00
Subtotal						\$ 352.00
Reduction by 1/2 if small entity						-
TOTAL						\$ 352.00

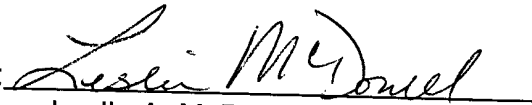
- [X] A fee of \$352.00 to cover the cost of the additional claims and multiple dependent claims added by this reply is enclosed.
- [X] A fee of \$790.00 to cover the basic filing fee is enclosed.
- [X] A fee of \$130.00 to cover the surcharge required under 37 C.F.R. §1.16(e) is enclosed.

[X] A check for \$1,272.00 to cover the above fees is enclosed.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to Deposit Account No. 06-0916.

Date: April 23, 1998

By:



Leslie A. McDonell

Registration No. 34,872

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

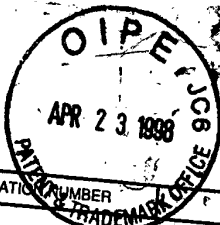
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UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER 09/015,078	FILING/RECEIPT DATE 01/27/98	FIRST NAMED APPLICANT SEBASTIAN	ATTORNEY DOCKET NO./TITLE S 2356-0073-01
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FINNEGAN HENDERSON FARABOW  
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1300 I STREET  
WASHINGTON DC 20005-3315

NOT ASSIGNED

DATE MAILED: 1801

03/18/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 1454

- ☒ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.  
Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).  
☐ 2. Additional claim fees, of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.  
\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.  
\$ 264 for 12 dependent claims over 20.  
\$ 270 for multiple dependent claim surcharge.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. The oath or declaration:  
☐ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:  
An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.217).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."  
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

00000033 09015078  
790.00  
270.00  
130.00